IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 20TH MARCH 2007 / 29TH PHALGUNA 1928

Crl.MC.No. 709 of 2007()

AGAINST THE JUDGEMENT/ORDER IN BA.4109/2006 Dated 25/07/2006

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PETITIONER: ACCUSED

KIZHAKKUMPURATHU KUNCHI MOOSA HAJI,
S/O MUHAMMED HAJI, KIZHAKKUMPURATHU HOUSE,
PERINGATHU P.O., THALASSERY, KANNUR DISTRICT.

BY ADV. SRI.K.MANOJ CHANDRAN
SRI.A.K.ABDUL AZEEZ

RESPONDENTS: COMPLAINANT

STATE OF KERALA REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY P.P. SRI.S.U. NAZAR.

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 20/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

CRL.M.C.NO. 709 OF 2007

Dated this the 20th day of March, 2007

ORDER

The petitioner, who faces allegations, inter alia, under Sec.307 of the IPC, was released on bail as per the order dated 25/7/2006 passed by this Court subject to conditions. The conditions have been modified from time to time. The petitioner is now obliged to report before the Investigating Officer once in two weeks. There is a further condition that he must produce his passport before the learned Magistrate. Accordingly, that passport has been produced. According to the petitioner, he now wants to go abroad to attend the "Ummra". He therefore wants his passport to be released. He also wants the condition of appearance before the Investigating Officer once in two weeks to be modified.

2. The application is opposed by the learned Public Prosecutor. But I am satisfied that the conditions can be directed to be relaxed. The petitioner need hereafter appear before the Investigating Officer as and when directed by the

Investigating Officer in writing to do so. The petitioner shall within 10 days from the date of this order furnish to the Investigating Officer the address of his place of residence and shall keep the Investigating Officer informed of all further change in address, if any.

3. The petitioner shall be at liberty to apply before the learned Magistrate for release of the passport. He shall specify the purpose and the period during which he wants the passport to be released to him. In such event, the learned Magistrate shall consider such request and release the passport to the petitioner subject to his execution of a further bond for Rs.50,000/- with two solvent sureties each for the like sum specifically undertaking to produce the passport back to court after such period.

4. This Crl.M.C. is allowed in part to the above extent.

Sd/-

(R. BASANT, JUDGE)

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//true copy// P.S. To Judge